



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
NEW YORK REGIONAL OFFICE
BROOKFIELD PLACE, 200 VESEY STREET
Suite 400
NEW YORK, NEW YORK 10281-1022

Nancy A. Brown
(212) 336-1023
brownnn@sec.gov

May 9, 2017

By ECF

Hon. Joseph A. Dickson
United States Magistrate Judge
District of New Jersey
Martin Luther King, Jr. Federal Building
and Courthouse
50 Walnut Street
Newark, New Jersey 07102

Re: SEC v. Gentile; 16 Civ. 1619 (JLL)(JAD)

Dear Judge Dickson:

We represent the Plaintiff, Securities and Exchange Commission, in the above-captioned civil action. As the Court requested at the April 12, 2017 conference, we write to advise the Court that should the Court deny Defendant's request to re-impose the stay in the matter, the parties have agreed to adjourn the dates for serving interrogatories until 60 days after the Defendant has identified in his Answer which Complaint allegations he contests.

We also write to notify the Court of two errors in Defendant's May 5, 2017 letter (DE 20) of which the Court should be aware. First, the SEC has not "issued an (erroneous) public statement asserting that the SEC had imposed an injunction against Mr. Gentile." (DE 20, at 9.) Mr. Gentile's counsel has since conceded that he is not aware of any such statement, and that the assertion in the May 5 letter was an inference based on Mr. Gentile's interactions with certain service providers that may have erroneously reported such information.

Second, we are aware of no new investigation that has been opened into Mr. Gentile's conduct after the dismissal of the criminal indictment against him. (DE 20, at 2.) As Mr. Gentile's counsel is well aware, the investigation into his operation of his Bahamian broker-dealer has been ongoing since before that indictment was filed.

Respectfully submitted,

Nancy A. Brown

cc: Hon. Jose L. Linares (via regular mail)
Adam Ford, Esq. (via email)